

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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 :
 POLICARPO MORENO ESTRADA, individually and on :
 behalf of others similarly situated, :
 :
 Plaintiff, : 20-cv-6125 (LJL)
 :
 -v- : ORDER
 :
 THERAPY PLLC, et al., :
 :
 Defendants. :
 :
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LEWIS J. LIMAN, United States District Judge:

On November 18, 2020, Plaintiff moved to cancel the initial pretrial conference scheduled for November 11, 2020 because “Defendants have neither answered nor appeared and are in default.” Dkt. No. 18. The Court adjourned the conference to December 23, 2020 and said that it would be cancelled if Plaintiff filed a motion for default judgment. Dkt. No. 19.

There are three defendants in this action: Therapy PLLC d/b/a Therapy, Tom Johnson, and Kash Amin. Plaintiff has filed certificates of default against only two of the three Defendants, Johnson and Amin, and has filed an affirmation in support of those certificates. However, Plaintiff technically has not moved for default judgment because he has not filed the default judgment motions themselves. *See* Attachment A of this Court’s Individual Practices in Civil Cases. Plaintiff also has not indicated whether he intends to file for default against Defendant Therapy PLLC.

The initial pretrial conference will proceed on December 23, 2020 unless Plaintiff files a letter with the Court by December 21, 2020 indicating his intent to move for a default judgment against Therapy PLLC.

SO ORDERED.

Dated: December 18, 2020
New York, New York



LEWIS J. LIMAN
United States District Judge